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GOVERNMENT GAZETTE

BOLETIM OFICIAL

GOVERNMENT OF GOA, DAMAN AND DIU

Special Department

Notification

OSD/RRVS/10/66

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs letter No. F.7(11)/62-Goa dated 25th July, 1963, the Administrator of Goa, Daman and Diu is pleased to make the following amendment in the Goa Government, Directorate of Land Survey (non-gazetted, non-ministerial posts) Recruitment Rules 1966, issued under notification dated 4th July, 1966 and published in Government Gazette, Series I No. 19 dated the 11th August 1966.

AMENDMENT

In the Schedule attached to the said Notification:

Against serial No. 8

In column 7, for the existing entry substitute:

- 1) Secondary School Certificate Examination or fifth year of Lyceum or equivalent Examination.
- 2) Qualifying Examination of Topo trainees 'B'.

OR

A Certificate of proficiency in surveying, from Industrial Training Institute or any other recognised Institute.

Against serial No. 9

In column 7, for the existing entry substitute:

- 1) Secondary School Certificate Examination or fifth year of Lyceum or equivalent Examination.

- 2) Qualifying Examination of Topo trainees 'A'.

OR

A Certificate of proficiency in surveying, from Industrial Training Institute or any other recognised Institute.

G. K. Bhanot
Chief Secretary

Panaji, 26th September, 1967.

Corrigendum

OSD/RRVS/9/66

In the Schedule to the Goa Government, Town and Country Planning Department (Non-gazetted, Non-Ministerial Posts) Recruitment Rules, 1966, published under Notification dated 27-6-1966, in the Government Gazette No. 18, Series I, dated 4th August, 1966:

(1) the pay scale of Rs. 130-5-160-8-200-EB-256-EB-8-280-10-300 indicated in column 4 against the post of Tracer at Serial No. 1 should be corrected as Rs. 130-5-160-8-200-EB-8-256-EB-8-280-10-300.

(2) the pay scale of Rs. 105-7-175-6-205-7-240 indicated in column 4 against the post of Draftsmen (Survey) at serial No. 3 should be corrected as Rs. 150-5-175-6-205-7-240.

(3) the pay scale of Rs. 210-10-290-15-380-20-425 indicated in column 4 against the post of Investigators at serial No. 6 should be corrected as 210-10-290-15-320-EB-15-425.

D. V. Sawant, Deputy Secretary (Appointments).
Panaji, 27th September, 1967.

Home Department 'A'

Notification

HD-76-15088/67-A

The following Notification N 37(2)/A/67-Tech dated 1/4/1967 from the Government of India, Ministry of Home Affairs, is published for information.

nistry of Petroleum and Chemicals is hereby re-published in the Government Gazette.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. B. Deshpande, Under Secretary, Home Department.

Panaji, 25th September, 1967.

GOVERNMENT OF INDIA

MINISTRY OF PETROLEUM AND CHEMICALS

New Delhi, the 1st April, 1967

Notification

No. 37(2)/A/67-Tech: In exercise of the powers conferred by sub-section (2) of section 5 of the Goa, Daman and Diu (Laws) Regulation, 1962 (12 of 1962), the Central Government hereby directs that the Petroleum Rules, 1937, the Carbide of Calcium Rules, 1937, and the Cinematograph Film Rules, 1948, made by that Government under the Petroleum Act, 1934 (30 of 1934) shall extend to and come into force in the Union territory of Goa, Daman and Diu with effect from 1st April, 1967.

S. R. SUNDARAM

Deputy Secretary to the Government of India.

Home Department 'C'

Notification

HD/33/8019/67

In exercise of the powers conferred by Section 46 of the Goa, Daman and Diu Administration of Evacuee Property Act, 1964 read with Rule 36 of the Goa, Daman and Diu Administration of Evacuee Property Rules 1965 the Government of Goa, Daman and Diu hereby makes the following Rules relating to the mode of sale of Immovable Evacuee Property.

Any immovable Evacuee Property may be sold by public auction or by inviting tenders or in such other manner as the State Government may by general or special order direct.

(I) Procedure for sale of property by public auction.

- (1) Where any Evacuee Property is to be sold by auction, it shall be sold through an officer appointed or auctioneer approved by the State Government.
- (2) The terms and conditions on which auctioneers may be appointed shall, from time to time, be determined by the State Government.
- (3) The Custodian or any other officer authorised by him in this behalf shall cause a proclamation of the intended sale to be made in English or Marathi or Konkani or Gujarati.
- (4) Notice of the intended sale shall be given 30 days before the proposed sale and every such notice shall set the date, time and place

of the proposed sale, the description of the property to be sold, its location and boundaries where possible, the terms and conditions of sale and any other particulars which the Custodian or any other officer considers material.

One copy of the notice shall be affixed on a conspicuous part of the property to be sold. It shall be in the discretion of the Custodian to advertise the sale in newspapers or in such other manner as he may deem fit.

- (5) Every auction of a property under these rules shall be subject to a reserve price fixed in respect of the property and such reserve price may not be disclosed.
- (6) The Officer conducting the auction may, in his discretion, withhold the sale of any property without assigning any reasons therefor.
- (7) The Officer conducting the auction may at his discretion, for reasons to be recorded in writing, adjourn the sale to a specified date and hour and an announcement to that effect shall be made at the time of the adjournment of the sale: Provided that when the sale is adjourned for a period extending 14 days, a fresh notice shall be published.
- (8) No Officer or other persons having any duty to perform in connection with the valuation or sale of any property shall either directly or indirectly bid for or otherwise acquire any interest in such property.
- (9) The person declared as the highest bidder for the property at the auction shall pay in cash or Bank-Draft or in any such other form as may be required by the Custodian or the officer conducting the sale, immediately on the fall of hammer, a deposit not exceeding 20% of the amount of his bid to the officer conducting the sale and in default of such deposit the property may be resold.
- (10) The bid in respect of which the initial deposit has been accepted shall be subject to the approval of the Custodian or an officer appointed by him for the purpose.

Provided that no bid of immovable property shall be approved until after the expiry of a period of 7 days from the date of auction.

- (11) Intimation of the approval of the bid or its rejection shall be given to the highest bidder (hereinafter referred to as Auction Purchaser) by registered post acknowledgement due and the auction purchaser shall, where the bid has been accepted, be required within 15 days of the receipt of such intimation to deposit the balance of the purchase money.

Provided that the Custodian or other officer appointed by him may, for reasons to be recorded in writing, extend the aforesaid period of 15 days by such period as the Custodian may think fit.

- (12) If the auction purchaser does not deposit the balance of the purchase money within the specified period, the initial deposit made by the auction purchaser under sub-rule 9 shall be liable to forfeiture and the Custodian shall be entitled to resell the property at the risk and cost of the defaulting auction purchaser.

- (13) Where the purchase price has been realised in full from the auction purchaser, the Custodian shall issue to him a Sale Certificate which shall be stamped and registered at the cost of the purchaser.

(II) *Procedure of sale of property by tenders.*

- (1) Where any property is to be sold by inviting tenders the Custodian shall invite sealed tenders for the property and the invitation shall specify:
 - (i) the amount to be deposited by the tenderers as earnest money —
Provided that such earnest money shall not be less than 2½% of the amount tendered.
 - (ii) the description of the property to be sold, its location and boundaries where possible and any other particulars which may be material.
 - (iii) the period within which tenders are to be received.
 - (iv) the date, time and place fixed for opening of tenders.
 - (v) the terms and conditions of tenders as set forth and any other relevant information.
- (2) The tenders shall be opened by the Custodian or any authorised officer on the date and at the time and place fixed for the opening of the tenders in the presence of all those tenderers who may wish to be present.
- (3) The Custodian shall not be bound to accept the highest or any other tender and shall not be bound to disclose his reasons therefor. Every tenderer shall keep his offer open and shall be bound by the same after the tender documents supplied by him are taken for consideration and shall, if he resiles from such offer, be liable, to forfeiture of his deposit of earnest money. The decision of the Custodian shall be final.
- (4) Where a tender has been accepted by the Custodian or an Officer empowered by him in this behalf the tenderer shall produce before the Custodian or other officer appointed by the Custodian for this purpose within 15 days of the intimation to him of the acceptance of the tender a challan evidencing the deposit into the treasury of the balance of the purchase money or shall deposit the balance amount in cash before such Officer.
- (5) The acceptance of a tender shall be subject to the approval of the Custodian or an Officer appointed by him for the purpose. The other provisions regarding the sale of property by public auction shall apply mutatis mutandis to the sales by tender.

Where a property is purchased by any person under these rules and the full purchase price has been paid by him, a deed of transfer shall be executed in his favour.

(III) *Procedure for setting aside sale.*

- (1) Where a person desires that the sale of any property made under the aforesaid rules should be set aside because of any alleged irregularities or fraud, in the conduct of sale he may make an application to that effect to the Custodian or any other Officer authorised by him in this behalf.
- (2) Every application for setting aside the sale under these rules shall be made within 7 days from the acceptance of the bid when the sale is made by public auction and within 7 days from the date of opening of tenders, where the sale is made by inviting tenders.
- (3) If after consideration of the facts alleged, the Officer to whom the application is made under these rules is satisfied that any material irregularity or fraud has been committed in the publication or conduct of the sale, he may make an order that the property be re-auctioned or be resold by inviting fresh tenders as the case may be;

Provided that no sale can be set aside under these rules unless upon the facts proved such Officer is satisfied that the applicant has sustained substantial injury by reason of irregularity or fraud as the case may be.

- (4) Notwithstanding anything contained in these rules, the Custodian may of his own motion set aside any sale under these rules if he is satisfied that any material irregularity or fraud which has resulted in a substantial injury to any person, has been committed in the conduct of the sale.

(IV) *General provisions.*

- (1) The above rules shall apply as far as may be possible for the disposal of composite property which is jointly owned by an Evacuee and a non-Evacuee.

(2) *Reserve price.*

The reserve price shall be fixed by the Custodian with the help of the Mamlatdar or Collector of the Revenue Department in case of sale of land and with the help of Director P. W. D. or his nominee in other cases.

(3) *Acceptance of bid or tender.*

The Custodian shall not accept the bid or tender below Reserve price. If the bid or tender is less than the reserve price, the property shall be disposed of either by re-auction or by inviting fresh tenders, as the case may be. If at the second auction/tender, the highest offer is less than the reserve price, the Custodian may, at his discretion accept the offer or try any other mode of disposal in the best interest of Evacuee Pool.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. K. Bhanot
Chief Secretary

Panaji, 25th September, 1967.

Law and Judicial Department

Notification

LD/N/49-67

In exercise of the powers conferred by section 2 of the Public Gambling Act, 1867 as extended to the Union Territory of Goa, Daman and Diu, the Lieutenant Governor of Goa, Daman and Diu is hereby pleased to extend all the provisions except: Sections 13 and 17, which are already in force, of the said Act to whole of the Union Territory of Goa, Daman and Diu with immediate effect.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

R. L. Segel, Law Secretary.

Panaji, 28th September, 1967.

*Labour and Information Department

Notification

LID/49/67

Copy of the Press Council (Procedure for Inquiry) Regulations, 1967 and published in the Gazette of India (part III Section 4) dated 12.8.1967, is hereby republished for general information.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. R. Shinde, Under Secretary, Industries and Labour Department.

Panaji, 25th September, 1967.

In exercise of the powers conferred by clause (c) of section 23 of the Press Council Act, 1965 (34 of 1965), the Press Council of India hereby makes the following regulations, namely:—

1. Short title and commencement. — (1) These regulations may be called the Press Council (Procedure for Inquiry) Regulations, 1967.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. — Unless the context otherwise requires, —

(a) "Committee" means the Committee constituted by the Council for the purpose of inquiring into complaints made to the Council;

(b) "Complainant" means the person who makes a complaint to the Council regarding a newspaper, editor or other working journalist.

3. Contents of complaint. — Where a person makes a complaint to the Council, he shall —

(a) furnish the name and address of the newspaper, editor or other working journalist

against which or whom the complaint is preferred, a cutting of the matter or news item complained of, in original, together with a translation thereof in English, where the passage or news item is in a language other than English or Hindi, and such other particulars as are relevant to the subject matter of the complaint;

(b) state in what manner the passage or news item complained of is objectionable;

(c) State whether the complainant had drawn the attention of the newspaper, editor or other working journalist concerned, to the matter in the newspaper which in the opinion of the complainant is objectionable, and also whether he has furnished the newspaper, editor or other working journalist, as the case may be, the grounds for holding such opinion and if so enclosed a copy of the reply, if any, received by the complainant;

(d) place all other relevant facts before the Council.

(2) The complainant while presenting the complaint shall at the foot thereof make and subscribe to a declaration to the effect —

(i) that to the best of his knowledge and belief he has placed all the relevant facts before the Council and that no proceedings are pending in any court of law in respect of any matter alleged in the complaint;

(ii) that he shall inform the Council forthwith if during the pendency of the inquiry before the Council any matter alleged in the complaint becomes the subject matter of any proceeding in a court of law.

4. Return of complaint. — (1) Where a complaint does not comply with the requirements of regulation 3, the Chairman may return the complaint directing the complainant to bring it in conformity with such requirements and represent it within such time as he may fix in that behalf.

(2) The order returning a complaint under this regulation shall contain the reasons for the return and a report shall be made to that effect to the Council.

5. Issue of notice. — (1) As soon as possible and in any case not later than fifteen days from the date of receipt of a complaint, the Chairman shall send a copy thereof to the newspaper, editor or other working journalist against which or whom the complaint has been made, along with a notice requiring the newspaper, editor or other working journalist, as the case may be, to show cause why action should not be taken under section 13 of the Press Council Act, 1965 (34 of 1965).

(2) The notice issued under sub-regulation (1) shall be sent to the newspaper, editor or other working journalist concerned by registered post acknowledgment due, at the address furnished in the complaint.

(3) If the notice is returned unserved with an endorsement to the effect that the addressee has refused to accept the notice, the notice shall be deemed to have been duly served.

6. **Filing of written statement.**—The newspaper, editor or other working journalist against which or whom the complaint is made may, within fourteen days from the date of service of the copy of the complaint and notice under regulation 5 or within such further time as may be granted by the Chairman in this behalf, submit a written statement in reply to the complaint.

7. **Power to call for additional particulars, etc.**—The Committee may after considering the complaint and the written statement, call for such additional particulars or documents relevant to the subject matter of the case as it may consider necessary from both the parties or either of them.

8. **Rejection of complaint of the same nature previously inquired into.**—(1) Where at any time in the course of the inquiry into the complaint it appears to the Committee that the subject matter of the complaint is substantially the same as, or has been covered by, any former complaint dealt with by the Council under these regulations, the Committee shall bear the complaint if he desires to be heard, and also the newspaper, editor or other working journalist, as the case may be, if the Committee considers it necessary and if the Committee so holds, recommend the rejection of the complaint and submit the case to the Council, and thereupon the Council may by order in writing either reject the complaint or direct that the complaint may be inquired into.

(2) The order of the Council in either case shall be communicated to the parties.

9. **Provisions of the Code of Civil Procedure to be followed.**—The Committee shall, as far as possible, follow the procedure laid down in the Code of Civil Procedure, 1908, in regard to the following matters, namely:—

- (i) summoning of witnesses;
- (ii) recording of evidence; and
- (iii) maintenance of records.

10. **Inquiry by the Committee.**—(1) In the inquiry before the Committee the parties shall be entitled to adduce evidence oral or documentary and make any oral submissions in support of their contentions.

(2) At the close of the inquiry, the Committee shall make a report of its findings of the allegations contained in the complaint together with its reasons and submit the record of the case to the Council.

11. **Decision by the Council.**—(1) The Council shall, after perusing the record of the case, pass orders, giving its decision on every finding contained therein, or may remit the case to the Committee for such further inquiry as the Council deems necessary and on receipt of the further report of the Committee, the Council shall proceed to dispose of the case.

(2) Every case shall be determined by a majority of votes of the members of the Council present and voting, and where there is an equality of votes, the Chairman shall have and exercise a casting vote.

(3) The order of the Council shall be communicated in writing to the parties to the case.

12. **Appearance of parties etc.**—In an inquiry under these regulations the editor or other working

journalist or the newspaper through its editor, against which or whom a complaint has been made may appear in person, or with the permission of the Committee or the Council as the case may be, by legal practitioner or a duly authorised representative.

13. **Restriction of power of members to discuss and vote in certain cases.**—No member of the Committee shall take part in the discussion of, and no member of the Council shall vote or take part in the discussion of, any complaint coming up for consideration at a meeting of the Committee or the Council, as the case may be, if the case is one in which he has any direct or indirect interest by himself or his partner, or in which he is interested professionally on behalf of a client or as an agent for any newspaper, editor or other working journalist, as the case may be.

14. **Procedure in matters not provided for in these regulations.**—The Committee shall have the power to regulate its own procedure in respect of any matter for which no provision is made in these regulations.

ORDER

LC/14/MDLB/67

The following Notification from the Government of India, Ministry of Labour, Employment and Rehabilitation, New Delhi issued under Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 is hereby republished for information of all concerned.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. R. Shinde, Under Secretary, Industries and Labour Department.

Panaji, 27th September, 1967.

Notification

528/168/65-Fac-6

Dated the 30th August, 1967

S. O.—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965 the same having been previously published as required by the said sub-section, namely:—

AMENDMENT SCHEME

1. This Scheme may be called the Mormugao Dock Workers (Regulation of Employment) Amendment Scheme, 1967.

2. In the Mormugao Dock Workers (Regulation of Employment) Scheme, 1965, after clause 54, the following clause shall be inserted, namely:—

«54-A. *Arrears of dearness allowance, wages and other allowances.*—

In case of any revision of dearness allowance or grant or revised wages or other allowances,

with retrospective effect, in pursuance of any award or recommendation of any board or body set up, or of any order made, by the Central Government, the Board may out of its funds, pay the registered workers the arrears upto the date of the award or, as the case may be, of the recommendation or order, if the Board so decides».

K. D. Hajela
Under Secretary

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Mormugao Port Trust

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Notification

MPT/IGA(E.806)-I/67

As required under Section 124(2) of the Major Port Trusts Act, 1963 the following amendments to the Mormugao Port Employees (Contributory Provident Fund) Regulations, 1965 adopted by the Board of Trustees is hereby published.

Draft amendments to the Mormugao Port Employees (Contributory Provident Fund) Regulations, 1965

I—In sub-regulation (2) of regulation 13, re-number the existing Note as Note 1 and insert the following as Note 2 thereunder:—

Note: 2—A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of this regulation.

II—Insert the following notes at the end of regulation 17:—

Note: 1—A subscriber shall be permitted to make a withdrawal once in every six months under item (a) of regulation 16. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of regulation 16.

Note: 2—In case where a subscriber has to pay in instalments for a site or a house purchased, or a house constructed through a House Building Co-operative Society or similar agency, he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every

such payment shall be treated as a payment for a separate purpose for the purposes of regulation 16.

By order,

Shivakumar Dhindaw
Secretary

Mormugao, 4th September, 1967.

(2nd time)

Notification

MPT/IGA(E.806)/67

As required under Section 124(2) of the Major Port Trusts Act, 1963 the following amendments to the Mormugao Port Employees (General Provident Fund) Regulations, 1964 adopted by the Board of Trustees is hereby published.

Draft amendments to the Mormugao Port Employees (General Provident Fund) Regulations, 1964

I—Insert the following as Explanation 3 below Regulation 13:—

Explanation: 3—A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-regulation (1) of this regulation.

II—Insert the following notes at the end of regulation 17:—

Note: 1—A subscriber shall be permitted to make a withdrawal once in every six months under item (a) of sub-regulation (1) of regulation 16. Every such withdrawal shall be treated as a withdrawal for a separate purpose for the purposes of sub-regulation (1) of regulation 16.

Note: 2—In case where a subscriber has to pay in instalments for a site or a house purchased, or a house constructed through a House Building Co-operative Society or similar agency, he shall be permitted to make a withdrawal as and when he is called upon to make a payment in any instalment. Every such payment shall be treated as a payment for a separate purpose for the purposes of sub-regulation (1) of regulation 16.

By order,

Shivakumar Dhindaw
Secretary

Mormugao, 4th September, 1967.

(2nd time)